

**DURHAM, NORTH CAROLINA
MONDAY, SEPTEMBER 15, 2003
7:00 P.M.**

The Durham City Council met in regular session on the above date and time in the Council Chambers at City Hall with the following members present: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Absent: None.

Also present: City Manager Marcia Conner, City Attorney Henry Blinder, City Clerk D. Ann Gray and Records Management Coordinator Tonette Amos.

Mayor Bell called the meeting to order with a moment of silent meditation and the Pledge of Allegiance.

The Mayor asked for priority items from the City Manager, City Attorney and City Clerk. City Manager Conner requested that the following items be added to the agenda: Capitol Link Contract Amendment #2 and a Resolution Authorizing Emergency Contracting Authority for the City Manager. The City Manager also noted there was a revised CAPER report provided to Council. Also, she asked Council to amend the motion for Consent Item 44 "to adopt an Ordinance concerning the Water and Sewer Rates."

City Manager Conner recognized the staff of Public Affairs for earning two excellent communication awards given by the North Carolina Association of Government Information. Also, the Manager gave a briefing on how the City is preparing for Hurricane Isabel.

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Clement to add the following items to the agenda: Capitol Link Contract Amendment #2 and a Resolution Authorizing Emergency Contracting Authority for the City Manager was approved at 7:10 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

City Clerk Gray informed Council that the protest petition filed against GBA Item #31 – Rezoning for Carpenter Pointe Phase II was ruled invalid.

There were no priority items from the City Attorney.

MOTION by Council Member Clement seconded by Council Member Cole-McFadden to direct the City Clerk to prepare a Resolution Honoring Manager Bill Evers and the Durham Bulls was approved at 7:13 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

The Mayor asked if any council member(s) or citizen(s) wanted to pull any items from the Consent Agenda. A citizen requested that Item #24 [1996 Bond Funded Projects – Unissued Debt] be pulled.

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MOTION by Mayor Pro Tempore Cheek seconded by Council Member Edwards to approve the Consent Agenda as amended was approved at 7:19 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

[CONSENT AGENDA]

SUBJECT: APPROVAL OF CITY COUNCIL MINUTES – CITY CLERK’S OFFICE

MOTION Mayor Pro Tempore Cheek seconded by Council Member Edwards to approve the City Council minutes for the following meetings was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

August 18, 2003 - Regular Meeting
August 18, 2003 - Special Meeting

SUBJECT: DESIGNATION OF VOTING DELEGATES - ANNUAL CONGRESS OF CITIES AND EXPOSITION, DECEMBER 9-13, 2003 - NASHVILLE, TENNESSEE

MOTION Mayor Pro Tempore Cheek seconded by Council Member Edwards to appoint Mayor William V. Bell as the voting delegate and Council Member Cora Cole-McFadden as the alternate voting delegate to attend the National League of Cities’ Annual Business Meeting on Saturday, December 13, 2003 was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

SUBJECT: DESIGNATION OF VOTING DELEGATES - NORTH CAROLINA LEAGUE OF MUNICIPALITIES ANNUAL CONFERENCE, OCTOBER 12-14, 2003 - WINSTON-SALEM, NORTH CAROLINA

MOTION Mayor Pro Tempore Cheek seconded by Council Member Edwards to appoint Council Member Cora Cole-McFadden as the voting delegate and Mayor William V. Bell as the alternate voting delegate to attend the North Carolina League of Municipalities Annual Business Meeting on Monday, October 13, 2003 was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

SUBJECT: LYON PARK ADVISORY BOARD - RECEIPT AND ACCEPTANCE OF APPLICATIONS

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MOTION Mayor Pro Tempore Cheek seconded by Council Member Edwards to receive and accept applications to fill two (2) vacancies to represent Lyon Park and Lakewood Neighborhoods with terms expiring June 30, 2004 was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: MULTI-JURISDICTIONAL ADVISORY BOARD -
APPOINTMENT**

MOTION Mayor Pro Tempore Cheek seconded by Council Member Edwards to appoint Dennis Morgan English, Jr. to the Multi-Jurisdictional Advisory Board as a Community Representative with term expiring April 1, 2004 was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

SUBJECT: DURHAM HOUSING AUTHORITY - APPOINTMENT

To appoint a citizen to fill one vacancy on the Durham Housing Authority with term expiring September 28, 2008.

Note: At the 9-4-03 Work Session, the City Council directed the City Clerk to re-advertise vacancy for an additional 30 days.

**SUBJECT: VOLUNTARY ANNEXATION PETITIONS SUBMITTED PRIOR
TO APRIL 1, 2003 - RAVENSTONE DEVELOPMENT**

MOTION Mayor Pro Tempore Cheek seconded by Council Member Edwards to accept the City Clerk's certification of 100% ownership as required by N.C. General Statutes 160A-58 and 160A-31, and

To adopt a resolution establishing a public hearing for October 6, 2003 on the voluntary annexation petitions for Ravenstone Development was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

Resolution #9035

**SUBJECT: VOLUNTARY ANNEXATION PETITIONS SUBMITTED PRIOR
TO JULY 1, 2003 - OAKHURST – PHASE 2 AND AGAPE CORNER
SCHOOL**

MOTION Mayor Pro Tempore Cheek seconded by Council Member Edwards to accept the City Clerk's certification of 100% ownership as required by N.C. General Statutes 160A-58 and 160A-31; and

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To adopt the resolutions establishing a public hearing for October 6, 2003 on the voluntary annexation petitions for Oakhurst – Phase 2 and Agape Corner School was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

Resolution #'s 9036 - 9037

SUBJECT: CONTRACTS

MOTION Mayor Pro Tempore Cheek seconded by Council Member Edwards to authorize the City Manager to execute the contracts as listed; and

To authorize the City Manager to make changes to contracts before execution as long as the changes do not increase the dollar amount and remain consistent with the general intent of the contracts was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

Contractor	Contract Description	Dept	CT Amt
Cheek Heights Baptist Church	Amendment 5 lease agreement for Police Dept Domestic Violence Unit	Gen Ser	\$ 2,400.00
Complete Lawn Care	Contract Amendment-Increasing CT \$4000	Housing	\$ 4,000.00
K&C Enterprises	Contract Amendment-Increasing CT \$4000	Housing	\$ 4,000.00
Durham Marriott at the Civic Center	Banquet Room & Refreshments for Creative Class Event	OEED	\$ 850.00
Sage & Swift Gourmet Catering	Stormwater Maintenance & Facility Permit Agreement	PW	na
Lynn Hollow Homeowners Association	Stormwater Maintenance & Facility Permit Agreement	PW	na
Amberlynn Valley Homeowners Association	Stormwater Maintenance & Facility Permit Agreement	PW	na
Andre Webb	Baseball Umpire	P&R	\$ 3,000.00
John Maynard	Baseball Umpire	P&R	\$ 1,500.00
George Hugh	Volleyball Official	P&R	\$ 600.00
Carl Bumpass	Gate Opener	P&R	\$ 1,800.00
Calvin Williams	Official	P&R	\$ 1,200.00
Information Access Systems	Purchase License & installation of Phase II Auto. Agenda System	TS	\$ 43,490.00
Duke Leadership Training Associates	Hearing Officers Training	HR	\$ 22,250.00
Milton Lewis & Associates	Basic mediation-hearing officers	HR	\$ 3,500.00
Susan Allen	Facilitate HR Depart retreat	HR	\$ 1,000.00

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**SUBJECT: REIMBURSEMENT DECLARATION FOR THE PROPOSED 2004
CERTIFICATES OF PARTICIPATION (COPS)-CITY HALL
HVAC**

MOTION Mayor Pro Tempore Cheek seconded by Council Member Edwards to adopt a “Resolution Declaring The Intent Of The City Of Durham To Reimburse Itself For Capital Expenditures Incurred In Connection With Certain Upgrades At City Hall From The Proceeds Of Certain Tax-Exempt Obligations To Be Executed And Delivered On Or Before October 1, 2004” was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

Resolution #9038

**SUBJECT: LIMITED SCOPE SALES TAX REFUND AUDIT - DURHAM
COUNTY – UTILITY REDUCTION SERVICES**

MOTION Mayor Pro Tempore Cheek seconded by Council Member Edwards to authorize the City Manager to enter into a contract with Durham County and Utility Reduction Services to perform a limited scope sales tax audit was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: MAJOR SITE PLAN – SOUTHPARK AT NC 54 (PHASES III & IV)
- D03-223**

MOTION Mayor Pro Tempore Cheek seconded by Council Member Edwards to approve a site plan for the addition of two new, two-story office buildings totaling 24,960 square feet to an existing 26,208 square foot office complex with 59 new motor vehicle parking spaces (for a total of 207 spaces) and five bicycle spaces, on a +4.45 acre site zoned O&I-1(D), MTC and F/J-B. The proposed project will be located at the northeastern corner of the intersection of NC Highway 54 and Southpark Drive was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: SUPPLEMENTAL NC DEPARTMENT OF TRANSPORTATION
(NCDOT) MUNICIPAL AGREEMENT FOR IMPROVEMENTS TO
I-85 FROM WEST OF BROAD STREET TO WEST OF CAMDEN
AVENUE**

MOTION Mayor Pro Tempore Cheek seconded by Council Member Edwards to adopt a resolution authorizing the City Manager to execute the I-0306 DB Supplemental Agreement was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor

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Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

Resolution #9039

SUBJECT: WATER AND SEWER EXTENSION AGREEMENT WITH FALLS VILLAGE DEVELOPMENT, LLC – FALLS VILLAGE

MOTION Mayor Pro Tempore Cheek seconded by Council Member Edwards to authorize the City Manager to enter into a water and sewer extension agreement with Falls Village Development, LLC was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

SUBJECT: HOLIDAY PARADE - LIGHT UP DURHAM, INC. CONTRACT

MOTION Mayor Pro Tempore Cheek seconded by Council Member Edwards to authorize the City Manager to execute a contract with Light Up Durham, Inc. for \$30,000 for the Holiday Parade; and

To authorize the City Manager to modify the contract before execution provided that modifications do not increase the dollar amount of the contract and the modifications are consistent with the general intent of the existing version of the contract was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

SUBJECT: CITY-INITIATED REZONING OF RICKY POPE PROPERTY

MOTION Mayor Pro Tempore Cheek seconded by Council Member Edwards to initiate a rezoning of Ricky Pope's property (PIN #0811-11-56-8712) off Prince Ann Drive from R-8 to R-20 was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

SUBJECT: ON-CALL SERVICES FOR TRANSPORTATION ENGINEERING AND PLANNING SERVICES

MOTION Mayor Pro Tempore Cheek seconded by Council Member Edwards to authorize the City Manager to execute master agreements for transportation engineering and planning services with the following firms:

- (1) Kimley-Horn and Associates, Inc.
- (2) Martin/Alexiou/Bryson, PLLC

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- (3) Parsons Brinckerhoff Quade & Douglas, Inc.
- (4) Wilbur Smith Associates

To authorize the City Manager to modify the aforementioned master agreements before execution provided that the modifications do not increase the dollar amount of the agreements and the modifications are consistent with the general intent of the existing version of the agreements; and

To authorize the City Manager to execute a multi-year supplemental agreement with Parsons Brinckerhoff Quade & Douglas, Inc. for on call development review services in accordance with the master agreement and for an amount not to exceed \$100,000; and

To authorize the City Manager to execute a multi-year supplemental agreement with Kimley-Horn and Associates, Inc. for updating of the Impact Fee Methodology for an amount not to exceed \$30,000, and

To authorize the City Manager to modify the supplemental agreements before execution provided that the modification does not increase the dollar amount of the agreement and the modification is consistent with the general intent of the existing version of the agreement was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

SUBJECT: UNISYS SURETY MAINTENANCE AGREEMENT

MOTION Mayor Pro Tempore Cheek seconded by Council Member Edwards to authorize the City Manager to extend the Unisys Surety Maintenance Agreement from December 1, 2003 to June 30, 2005 in the amount of \$165,417; and

To authorize the City Manager to modify the contract before execution provided that modifications do not increase the dollar amount of the contract and the modifications are consistent with the general intent of the existing version of the contract was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

SUBJECT: IMPACT FEE FINANCIAL AUDIT

MOTION Mayor Pro Tempore Cheek seconded by Council Member Edwards to receive and accept the Impact Fee Financial Audit Report dated July 30, 2003 was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

SUBJECT: TAX COLLECTION REPORT

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MOTION Mayor Pro Tempore Cheek seconded by Council Member Edwards to receive a report from the County Tax Administrator on the City of Durham 2002 Tax Settlement for taxes collected during FY 2002-03 was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

SUBJECT HOME HEADQUARTERS

To receive comments from Blake Jackson requesting water and sewer at 712 Heidelberg Street.

Note: This item was referred back to the administration.

SUBJECT: RUTH SHEPARD POOLE

To receive comments from Ruth Shepard Poole regarding a ditch at 2408 Ashe Street.

Note: This item has been moved to the September 18, 2003 Work Session.

SUBJECT: AUTHENTIC LIFE MINISTRIES, INC.

To receive comments from Reverend Audrey Addison-Williams on grassroots initiative to end gun violence in Durham.

Note: Comments were received at the September 4, 2003 Work Session.

SUBJECT: ZAKEE A. RAHIM

To receive comments from Zakee A. Rahim requesting a handicap sign in front of his home.

Note: This item was referred back to the Administration.

SUBJECT: 9TH STREET MERCHANTS – WAVELENGTHS

To receive comments from Sherry Clayton on parking issues.

Note: This item was referred back to the Administration.

SUBJECT: DURHAM NEIGHBORHOOD COLLEGE FEE

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MOTION Mayor Pro Tempore Cheek seconded by Council Member Edwards to adopt a “Resolution Approving Durham Neighborhood College Fee was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

Resolution #9040

SUBJECT: E.D. MICKLE RECREATION CENTER

To authorize the City Manager to obtain the necessary environmental remediation and engineering services for the removal of mold at E. D. Mickle Recreation Center.

Note: This item was approved at the 9/4/03 Work Session with a vote of 6/0.

SUBJECT: WATER & SEWER RATE ORDINANCE – LANGUAGE CLARIFICATION

MOTION Mayor Pro Tempore Cheek seconded by Council Member Edwards to adopt an ordinance amending Durham City Code Section 23-41 Monthly Rates for Water Service, Sewer Service and Water and Sewer Service [the adoption of ordinance will approve clarifying language by replacing the phrase “There shall be a service charge applied to each consumption bill” with “There shall be a service charge applied monthly.”] was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

Ordinance #12868

[ITEM PULLED FROM CONSENT AGENDA]

SUBJECT: 1996 BOND FUNDED PROJECTS – UN-ISSUED DEBT

Dr. Lavonia Allison stated citizens should be given an opportunity in advance to make comments on unused funds.

MOTION by Council Member Clement seconded by Council Member Edwards to receive a report regarding the un-issued debt for the 1996 bond funded projects was approved at 7:22 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

[GENERAL BUSINESS AGENDA]

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SUBJECT: BEER AND WINE LICENSE ISSUANCE

Council Member Clement stated he would not be supporting this item. He asked the City Manager to present information at the October 9, 2003 Work Session grouping these establishments by districts, wards or PACS showing the demographics.

City Attorney Blinder made comments noting the role of council regarding this item.

Council Member Stith noted if the Council wanted to make a change they would need to convene a session with the legislative delegation to change the state law.

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Stith to approve local beer and wine privilege licenses for the establishments listed below was approved at 7:34 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Cole-McFadden, Edwards and Stith. Noes: Council Member Clement. Absent: None.

City of Durham Beer/Wine Privilege Business License List

Period Covered: 2/22/03 - 8/21/03

Prepared by: Business License Unit

Status	Acct Name	Physical Address	City	Type
Renewal	A&P Mini Mart	1709 Glenn School Rd	Durham	Convenience
Renewal	Academy Quick Stop	3006 Academy Rd	Durham	Convenience
Renewal	All Things Good	4711 Hope Valley Rd Ste 1C	Durham	Restaurant
Renewal	Al's Food Mart	2905 Hillsborough Rd	Durham	Convenience
Renewal	American Legion Post #7	406 E Trinity Ave	Durham	Club
Renewal	AMF Durham 64	4508 Chapel Hill Blvd	Durham	Restaurant
Renewal	Amoco I-85	2108 Avondale Dr, Ste C	Durham	Convenience
Renewal	Applebee's Neighborhood Grill #05	3400 Westgate Dr	Durham	Restaurant
Renewal	Aramark Corporation	205 W. Union Bldg	Durham	Restaurant
Renewal	Armadillo Grill on Campus	Bryan Center , Rm 35	Durham	Restaurant
Renewal	Arnie's Place Billards Bar & Grill	1725 Carpenter Fletcher Rd	Durham	Restaurant
Renewal	Babettes	5826 Fayetteville Rd Ste 101	Durham	Restaurant
New	Bakus Tapas & Wine Bar and 9	746 & 744 B Ninth St	Durham	Restaurant
Renewal	Bamboo House Restaurant	3600 N Duke St, Ste 4	Durham	Restaurant
Renewal	Bandido's Mexican Cafe	4711 Hope Valley Rd, Ste 5H	Durham	Restaurant
Renewal	Bekee Food Store & Grill	1302 Fay St	Durham	Convenience
Renewal	Bells & Sons Amoco	220 W Lakewood Ave	Durham	Convenience
Renewal	Bennett Pointe Grill	4625 Hillsborough Rd	Durham	Restaurant
Renewal	Bethesda BP	1529 S Miami Blvd	Durham	Convenience
Renewal	Big Bowl Asian Kitchen	8030 Renaissance Pkwy	Durham	Restaurant
Renewal	Blue Corn Café	716 B Ninth St	Durham	Restaurant
Renewal	Blue Express	LSRC B110 LaSalle St Extension	Durham	Restaurant
Renewal	Blue Nile Ethiopian Cuisine	2000 Chapel Hill Rd, #4	Durham	Restaurant
Renewal	Bluz Eatery & Spirits	4310 S Miami Blvd Bldg 3	Durham	Restaurant
Renewal	Bombay Grille	2223 E Hwy 54, Ste Q	Durham	Restaurant

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New	Bon Vivant Catering Inc	Duke Faculty Club Snack Bar	Durham	Restaurant
New	Bon Vivant Catering Inc	3642 Shannon Rd, Ste 1	Durham	Restaurant
Renewal	Boulevard BP	2685 Chapel Hill Blvd	Durham	Convenience
Renewal	Bowling Exxon Service	4530 Roxboro Rd	Durham	Convenience
Renewal	BP Convenience Center	2211 N Roxboro Rd	Durham	Convenience
Renewal	BP Lowes Grove #335	2317 E NC Hwy 54	Durham	Convenience
Renewal	Bragtown BP	3101 N Roxboro Rd	Durham	Convenience
Renewal	Brookwood Inn - Duke	2306 Elba St	Durham	Restaurant
Renewal	Bull City Grill	2530 Erwin Rd	Durham	Restaurant
Renewal	Bull City Lodge #317	2311 S Alston Ave	Durham	Club
Renewal	Bull City Riders	1311 S Roxboro Street	Durham	Club
Renewal	Bull City Supermarket	1109 E Main St	Durham	Convenience
Renewal	Buy and Go Food Mart 3	4161 Chapel Hill Rd	Durham	Convenience
Renewal	Buy Quick Food Mart #2	1204 Worth St	Durham	Convenience
Renewal	Buy Quick Food Mart #5	103 W Cornwallis Rd	Durham	Convenience
Renewal	Buy Quick Food Mart #6	1603 S Alston Ave	Durham	Convenience
Renewal	Cafe Parizade	2200 W Main St	Durham	Restaurant
Renewal	California Pizza Kitchen	6910 Fayetteville Rd, Ste 154	Durham	Restaurant
Renewal	Canal Street Grocery	508 Canal St	Durham	Convenience
Renewal	Camceria Toledo	2223 NC Hwy 54, Ste G&F	Durham	Restaurant
Renewal	Caroco No. #1	702 N Alston Ave	Durham	Convenience
New	Carolina Food Mart	1002 N. Alston Ave	Durham	Convenience
Renewal	Carolina Theatre of Durham Inc	309 W Morgan St	Durham	Restaurant
Renewal	Cattleman's	3211 Hillsborough Rd	Durham	Restaurant
Renewal	Champps Americana Restaurant #7533	8030 Renaissance Pkwy Ste 885	Durham	Restaurant
Renewal	Charleston's #3442	3406 Hwy 70 E & Page Rd	Durham	Convenience
Renewal	Charlie's Pub & Grille	758 Ninth St	Durham	Restaurant
Renewal	Chili's Hamburger Grill & Bar	4600 Chapel Hill Blvd	Durham	Restaurant
Renewal	China Buffet	3720 Mayfair St	Durham	Restaurant
Renewal	China Express	2223 Hwy 54	Durham	Restaurant
Renewal	China Inn	2701 Hillsborough Rd	Durham	Restaurant
Renewal	China One Restaurant	4325 Hwy 55	Durham	Restaurant
Renewal	China Palace Restaurant	5210 Garrett Rd	Durham	Restaurant
Renewal	Chino Latino Restaurant	2900 Holloway St	Durham	Restaurant
Renewal	Chuck E Cheese's	3724 Mayfair St	Durham	Restaurant
Renewal	Circle K Store	1401 S Miami Blvd	Durham	Convenience
Renewal	Circle K Stores Inc #8201	1103 S Miami Blvd	Durham	Convenience
Renewal	Circle K Stores Inc #8222	3801 N Duke St	Durham	Convenience
Renewal	Circle K Stores Inc #8627	100 Woodcroft Pkwy	Durham	Convenience
Renewal	Classic Food Services	1716 Camden Ave	Durham	Convenience
Renewal	Coleman's	1006 E Pettigrew St	Durham	Restaurant
Renewal	Comfort Suites Hotel	5219 Page Rd	Durham	Restaurant
Renewal	Community Food Mart	1224 A Fayetteville St	Durham	Convenience
Renewal	Corner Pocket	5234 N Roxboro Rd	Durham	Club
Renewal	Costco #249	1510 North Pointe Dr	Durham	Convenience
Renewal	Country Store	4630 Hillsborough Rd	Durham	Convenience
Renewal	Courtyard by Marriott	301 Residence Inn Blvd	Durham	Restaurant
Renewal	Cozart's Fruit and Produce	2717 Cheek Rd	Durham	Convenience
Renewal	Croasdaile BP	1815 Hillandale Rd	Durham	Convenience

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Renewal	Croasdaile Country Club Inc	3800 Farm Gate Ave	Durham	Restaurant
Renewal	Cross Creek BP & Auto Center	3834 Guess Rd	Durham	Convenience
Renewal	Crossing at Grove Park (The)	4023 Old Wake Forest Hwy	Durham	Restaurant
New	Crown Central Petroleum	1007 N. Miami Blvd	Durham	Convenience
Renewal	Crown NC #34	2104 NC Hwy 55	Durham	Convenience
Renewal	Crown NC #41	1007 N Miami Blvd	Durham	Convenience
Renewal	CVS Pharmacy #4444	3300 Guess Rd	Durham	Convenience
Renewal	Domino's Pizza #5508	3333 Chapel Hill Blvd Ste C100	Durham	Restaurant
Renewal	Don Becerra	2301 N Roxboro Rd	Durham	Restaurant
Renewal	Don Cecilios Mexican Grill & Cantina	5279 N Roxboro Rd	Durham	Restaurant
Renewal	Don Jose Records	2202 Avondale Drive	Durham	Club
Renewal	Double Tree Guest Suites	2515 Meridian Pkwy	Durham	Restaurant
Renewal	Down Under Pub	802 W Main St	Durham	Restaurant
Renewal	Doyle's Sports Bar	3219 Chapel Hill Rd	Durham	Restaurant
Renewal	Duke Street BP	3804 N Duke St	Durham	Convenience
Renewal	Duke University Faculty Club	Corner of Science Dr & 751	Durham	Restaurant
Renewal	Duke University Museum of Art	Trinity Buchanan Blvd	Durham	Restaurant
Renewal	Durham Courtyard by Marriott	201 Foster St	Durham	Restaurant
Renewal	Durham Courtyard by Marriott	1815 Front St	Durham	Restaurant
Renewal	Durham Elks Lodge #568	2670 Chapel Hill Blvd	Durham	Club
Renewal	Durham Food Mart, Inc.	407 Old Oxford Hwy.	Durham	Convenience
Renewal	Durham Pizza Restaurant	4707 Hillsborough Rd	Durham	Restaurant
Renewal	East Campus Bp #215	805 Broad St	Durham	Convenience
Renewal	Eastern Lights	4215 University Dr, Ste 2	Durham	Restaurant
Renewal	Eckerd Drugs #1015	1223 University Dr	Durham	Convenience
Renewal	Eckerd Drugs #1030	1505 Broad St	Durham	Convenience
Renewal	Eckerd Drugs #1100	200 N Lasalle St	Durham	Convenience
Renewal	Eckerd Drugs #2847	3725 Wake Forest Rd	Durham	Convenience
Renewal	Eckerd Drugs #3534	101 Woodcroft Pkwy	Durham	Convenience
Renewal	Eckerd Drugs #8551	4719 Apex Hwy	Durham	Convenience
Renewal	Eckerd Drugs #8552	5319 Roxboro Rd	Durham	Convenience
Renewal	Eckerd Drugs #8554	1311 NC Hwy 54	Durham	Convenience
Renewal	Eckerd Drugs #8555	3798 Guess Rd	Durham	Convenience
Renewal	Edge (The)	108 Morris St	Durham	Club
Renewal	El Corral Mexican Restaurant	1821 Hillandale Rd Ste 8	Durham	Restaurant
Renewal	EL Cuscatleco Restaurant	4212 Garrett Rd	Durham	Restaurant
Renewal	El Dorado	4900 Hwy 55, Ste 140	Durham	Restaurant
Renewal	EL Rodeo Mexican Restaurant #1	4215 University Dr	Durham	Restaurant
Renewal	EL Rodeo Mexican Restaurant #2	905 W Main St	Durham	Restaurant
Renewal	El Toro Club	608 S Hoover Rd	Durham	Club
Renewal	Elmo's Diner	776 Ninth St	Durham	Restaurant
Renewal	Eno Bp #240	5292 N Roxboro Rd	Durham	Convenience
Renewal	Esquire Lounge	704 Rigsbee Ave	Durham	Club
Renewal	Etna #3161	3301 Guess Road	Durham	Convenience
Renewal	Etna #3162	2301 Holloway Street	Durham	Convenience
Renewal	Etna #3163	2322 Hwy 55	Durham	Convenience
Renewal	Evans Food Mart	2500 Fayetteville St	Durham	Convenience
Renewal	Exxon Food Shop #13	4401 N Roxboro Rd	Durham	Convenience
Renewal	Exxon Food Shop #16	4706 Apex Highway	Durham	Convenience

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Renewal	Exxon Food Shop #23	100 Latta Road	Durham	Convenience
Renewal	Fast Fare NC 567	1001 S Miami Blvd	Durham	Convenience
Renewal	Fast Fare NC 570	1203 W Club Blvd	Durham	Convenience
Renewal	Fast Food Mart #2	2947 Chapel Hill Rd	Durham	Convenience
Renewal	Fast Food Mart #3	2106 Broad St	Durham	Convenience
Renewal	Firebirds Rocky Mountain Grill	8030 Renaissance Pkwy, Ste 910	Durham	Restaurant
Renewal	Flor De Mexico	4125 Chapel Hill Blvd, Ste 3	Durham	Restaurant
Renewal	Food Lion Inc #1099	2930 W Main St	Durham	Convenience
Renewal	Food Lion Inc #1343	2000 Chapel Hill Rd	Durham	Convenience
Renewal	Food Lion Inc #150	4215 University Dr	Durham	Convenience
Renewal	Food Lion Inc #234	2400 Holloway St	Durham	Convenience
Renewal	Food Lion Inc #274	4711 Hope Valley Rd	Durham	Convenience
Renewal	Food Lion Inc #420	3808 Guess Rd	Durham	Convenience
Renewal	Food Lion Inc #57	5279 N Roxboro Rd	Durham	Convenience
Renewal	Food Lion Inc #729	3729 Wake Forest Rd	Durham	Convenience
Renewal	Food Lion Inc #747	3500 N Roxboro Rd	Durham	Convenience
Renewal	Food Lion Inc #885	1908 Meredith Dr	Durham	Convenience
Renewal	Food Lion Inc #939	4621 Hillsborough Rd	Durham	Convenience
Renewal	Forest Hill BP Food Mart	1251 University Dr	Durham	Convenience
Renewal	Fortune Garden Thai & Chinese Restaurant	5410 NC Hw 55 East	Durham	Restaurant
Renewal	Foster's Market	2694 Chapel Hill Blvd	Durham	Restaurant
Renewal	Four Square Restaurant	2701 Chapel Hill Rd	Durham	Restaurant
Renewal	Four Way Store & Grill	1313 S Roxboro St	Durham	Convenience
Renewal	Frank & Stein	6702 Fayetteville Rd, Ste 238	Durham	Restaurant
Renewal	Fuddrucker's Restaurant #301	1809 Martin Luther King Pkwy	Durham	Restaurant
Renewal	Fuji Japanese	4900 Hwy 55 Suite 200	Durham	Restaurant
Renewal	Garrett Rd Bp #262	4525 Chapel Hill Blvd	Durham	Convenience
Renewal	George's Garage	737 Ninth St	Durham	Restaurant
Renewal	Grady's American Grill	4010 Chapel Hill Blvd	Durham	Restaurant
Renewal	Hampton Inn -Durham	1816 Hillandale Rd	Durham	Restaurant
Renewal	Handi Foods	518 E Trinity Ave	Durham	Convenience
Renewal	Handi Mart	1003 Fayetteville St	Durham	Convenience
Renewal	Harris Teeter Inc #111	1720 Guess Rd	Durham	Convenience
Renewal	Harris Teeter Inc #114	3823 Guess Rd	Durham	Convenience
Renewal	Harris Teeter Inc #140	237 E NC Hwy 54, #140	Durham	Convenience
Renewal	Harris Teeter Inc #172	1817 Martin Luther King Jr Pkwy	Durham	Convenience
Renewal	Hawthorn Suites	300 Meredith Dr	Durham	Convenience
Renewal	Hill Top Food Mart	204 N Hardee St	Durham	Convenience
Renewal	Hillandale Golf Course	1600 Hillandale Rd	Durham	Restaurant
Renewal	Hills Market #2	201 E Geer St	Durham	Convenience
Renewal	Hills Open Air Market	712 S Alston Ave	Durham	Convenience
Renewal	Hilton Hotel Durham	3800 Hillsborough Rd	Durham	Restaurant
Renewal	Holloway Service Store	1505 Holloway St	Durham	Convenience
Renewal	Holloway Street Food Mart	1026 Holloway St	Durham	Convenience
Renewal	Homestead Bp #280	2918 Guess Rd	Durham	Convenience
Renewal	Homestead Kicks 66 #57101	109 W NC Hwy 54	Durham	Convenience
Renewal	Homewood Suites Hotel	4603 Central Park Dr	Durham	Restaurant
Renewal	Hong Kong Chinese Restaurant Bang's Inc	3003 Guess Rd	Durham	Restaurant
Renewal	Hong Kong Super Buffet	307 Foushee St	Durham	Restaurant

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Renewal	Hope Valley Bp #285	4148 Old Chapel Hill Rd	Durham	Convenience
Renewal	Hope Valley Country Club Inc	3803 Dover Rd	Durham	Restaurant
Renewal	In and Out Food Mart	911 Fayetteville St	Durham	Convenience
Renewal	Innovations Cafe	1300 Morreene Rd	Durham	Restaurant
Renewal	Italian Cafe	3550 N Roxboro Rd	Durham	Restaurant
Renewal	Italian Pizzeria Restaurant	3500 Roxboro Rd	Durham	Restaurant
Renewal	Italian Pizzeria Restaurant	3823 Guess Rd	Durham	Restaurant
New	J&M's Country Store	3112 N Roxboro Rd	Durham	Convenience
Renewal	Jamaica Jamaica Restaurant	4853 S Hwy 55	Durham	Restaurant
Renewal	James Joyce Irish Pub	912 W Main St	Durham	Restaurant
Renewal	Joe & Jo's Downtown	427 W Main St.	Durham	Restaurant
Renewal	Johnny's Food Land	4701 Hillsborough Rd	Durham	Convenience
Renewal	Joy Food Stores Inc #466	2109 Roxboro Rd	Durham	Convenience
Renewal	Joyland BP #315	2406 Holloway St	Durham	Convenience
Renewal	Kangaroo #3489	7840 Leonard Dr	Durham	Convenience
Renewal	Kanki House of Steak Durham LLC	3504 Mt Moriah Rd	Durham	Restaurant
Renewal	Karis Food Mart	602 S Alston Ave	Durham	Convenience
Renewal	Kerr Drug Inc #434	710 Fayetteville St	Durham	Convenience
Renewal	Kicks 66 #57222	3308 NC Hwy 55	Durham	Convenience
Renewal	Kim Son Restaurant	2425 Guess Rd	Durham	Restaurant
Renewal	King's Red & White Supermarket Inc	305 E Club Blvd	Durham	Convenience
Renewal	Kroger Limited Partnership I # 331	202 W NC Hwy 54	Durham	Convenience
Renewal	Kroger Limited Partnership I # 381	3825 S Roxboro St # 101	Durham	Convenience
Renewal	Kroger Limited Partnership I #314	3117 Shannon Rd	Durham	Convenience
Renewal	Kroger Limited Partnership I #332	3457 Hillsborough Rd	Durham	Convenience
Renewal	Kroger Limited Partnership I #337	5116 N Roxboro Rd	Durham	Convenience
Renewal	Kroger Limited Partnership I #366	1802 N Pointe Dr	Durham	Convenience
Renewal	Kurama Japanese Seafood Steak House	3644 Chapel Hill Blvd	Durham	Restaurant
Renewal	La Fondita LLC	2000 Avondale Dr Ste D	Durham	Restaurant
Renewal	La Maraka	3169 Hillsborough Rd	Durham	Restaurant
Renewal	La Plaza Latina Inc	3801 Wake Forest Hwy, Ste 118	Durham	Restaurant
Renewal	Lakeshore Golf Course	4621 Lumley Rd	Durham	Restaurant
Renewal	Lakewood Mini Mart	1925 Chapel Hill Rd	Durham	Convenience
Renewal	Las Palmas Inc #2	3814 N Duke St	Durham	Restaurant
Renewal	Latin American Food	2502 Holloway St.	Durham	Convenience
Renewal	Latin Grill (The)	325 W Main St	Durham	Restaurant
Renewal	Lecoco Restaurant	5277 N Roxboro Rd	Durham	Restaurant
Renewal	Lighthouse Food Mart #101	2944 Holloway St	Durham	Convenience
Renewal	Lighthouse Food Mart #104	5300 N Roxboro Rd	Durham	Convenience
Renewal	Lone Star Steak Inc.	3630 Chapel Hill Blvd	Durham	Convenience
Renewal	Lowes Food Stores Inc #426	1233 University Dr	Durham	Convenience
Renewal	Lowes Food Stores Inc #443	207 Holloway St	Durham	Convenience
Renewal	M&M Mini Mart	2128 Angier Ave	Durham	Convenience
Renewal	M&M Mini Mart #2	614 Lakeland St	Durham	Convenience
Renewal	Maggiano's Little Italy	8030 Renaissance Pkwy, Ste 890	Durham	Restaurant
Renewal	Magnolia Grill	1002 Ninth St	Durham	Restaurant
New	Manbites Dog Theater Co Inc	703 Foster St	Durham	Theater
Renewal	Marriott Hotel - RTP	4700 Guardian Dr	Durham	Restaurant
Renewal	Mayflower Seafood Restaurant #1	3742 Chapel Hill Blvd Ste B&C	Durham	Restaurant

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Renewal	McDougald Terrace Supermarket	832 Ridgeway Ave	Durham	Convenience
Renewal	Metro Express Market & Grill	2500 Erwin Rd	Durham	Restaurant
Renewal	Mi Barrio Mexican Restaurant	5023 Wake Forest Hwy.	Durham	Restaurant
Renewal	Mi Pequeno Honduras LLC	2201 N Roxboro Rd	Durham	Restaurant
Renewal	Mike's Stop N Go Inc	3446 Hillsborough Rd	Durham	Convenience
Renewal	Milestones Meeting & Banquet Facilities Inc	1058 W Club Blvd, Ste 635	Durham	Catering
Renewal	MM Fowler Inc #120	308 S Alston Ave	Durham	Convenience
Renewal	Montas International Lounge	2223 E Hwy 54		Club
Renewal	Morehead Mini Mart	1601 Morehead Ave	Durham	Convenience
Renewal	Nana's Restaurant Inc	2514 University Dr	Durham	Restaurant
Renewal	Neo China Restaurant	4015 University Dr	Durham	Restaurant
Renewal	New Dragon Inn	3823 Guess Rd Ste U	Durham	Restaurant
Renewal	New Evans Mini Mart	710 S Alston Ave	Durham	Convenience
Renewal	Nordstrom Inc	6910 Fayetteville Rd, Ste 500	Durham	Restaurant
Renewal	Oh Brians	4818 NC Hwy 55	Durham	Restaurant
Renewal	On The Border Mexican Cafe #88	4600 Chapel Hill Blvd	Durham	Restaurant
Renewal	On the Run #21-06432	106 Hwy 54	Durham	Convenience
Renewal	On the Run #22-18976	1914 Sedwick Rd, Bldg 600	Durham	Convenience
Renewal	One Hop Food Mart	370 Old Oxford Hwy	Durham	Convenience
Renewal	One Hop Food Mart	2021 Guess Rd	Durham	Convenience
Renewal	Orient Garden Restaurant	202 W Hwy 54, Ste 401	Durham	Restaurant
Renewal	Outback Steakhouse , Inc.	3500 Mt Moriah Rd	Durham	Restaurant
Renewal	Panda Inn Chinese	4600 Chapel Hill Blvd	Durham	Restaurant
Renewal	Pantry #838	2503 NC Hwy 55	Durham	Convenience
Renewal	Pantry Inc (The) #104	4835 Hope Valley Rd	Durham	Convenience
Renewal	Pantry Inc (The) #863	3793 Guess Rd	Durham	Convenience
Renewal	Pao Lim Inc	2505 Chapel Hill Blvd	Durham	Restaurant
Renewal	Papa's Grill	1821 Hillandale Rd	Durham	Restaurant
Renewal	Park Diner	5410 Hwy 55	Durham	Restaurant
Renewal	Parkview Mini Mart	433 Pilot St	Durham	Convenience
Renewal	Parkwood Convenience	5100 Revere Rd	Durham	Convenience
Renewal	Pasta Bella	105 NC 54 West, Ste 261	Durham	Restaurant
Renewal	Piper's Deli	3219 Old Chapel Hill Rd	Durham	Restaurant
Renewal	Pizza Hut	5232 N Roxboro Rd	Durham	Restaurant
Renewal	Pizza Hut	2107 E Hwy 54	Durham	Restaurant
New	Pizza Hut	2105 Sherron Rd	Durham	Restaurant
Renewal	Pizza Inn of Durham	3648 Chapel Hill Blvd	Durham	Restaurant
Renewal	Pizza Village	2105 Avondale Dr	Durham	Restaurant
Renewal	Pop's	810 W Peabody St	Durham	Restaurant
Renewal	Pulcinella Italian Restaurant	4711 Hope Valley Rd	Durham	Restaurant
Renewal	Q Shack LLC (The)	2510 University Dr	Durham	Restaurant
Renewal	Quality Oil #43	2007 Presidential Dr	Durham	Convenience
Renewal	Quality Oil Co #34	5203 S Miami Blvd	Durham	Convenience
Renewal	Quick Mart	5021 Wake Forest Hwy	Durham	Convenience
Renewal	Quick Stop Food Mart	1600 Holloway St	Durham	Convenience
Renewal	R David Thomas Center	One Science Drive	Durham	Convenience
Renewal	R&W Stop & Shop	3310 Dearborn Dr	Durham	Convenience
Renewal	Ray's Elbow Room/Pandas	4206 Apex Hwy	Durham	Club
Renewal	Red Lobster Restaurant #210	4416 Chapel Hill Rd	Durham	Restaurant

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Renewal	Regal University Millennium Hotel, Durham	2800 Campus Walk Ave	Durham	Restaurant
Renewal	Residence Inn by Marriott #236	201 Residence Blvd	Durham	Restaurant
Renewal	Restaurant Mexicano La Ilusion	2000 Chapel Hill Rd, Ste 14	Durham	Restaurant
Renewal	Rick's Diner LLC	4015 University Dr	Durham	Restaurant
Renewal	Romano's Macaroni Grill #58	4020 Chapel Hill Blvd	Durham	Restaurant
New	Rose Mart #205	5108 Wake Forest Hwy	Durham	Convenience
Renewal	Ruby Tuesday Inc #2760	1058 W Club Blvd	Durham	Restaurant
Renewal	Ruby Tuesday Inc #3185	210 W NC Hwy 54	Durham	Restaurant
Renewal	Rudino's Pizza	4911 Central Park Ln	Durham	Restaurant
Renewal	Rudino's Pizza	1515 N Pointe Dr Ste 108	Durham	Restaurant
Renewal	Sage and Swift Gourmet Catering Inc	3401 University Drive	Durham	Catering
Renewal	Saladella Café	4201 University Dr	Durham	Restaurant
Renewal	Sal's Pizza	2223 Hwy 54	Durham	Restaurant
Renewal	Sam's Quick Shop Inc	1605 Erwin Rd	Durham	Restaurant
Renewal	Satisfaction Restaurant and Bar	905 W Main St, Ste 37	Durham	Restaurant
Renewal	Savory Fare Inc	908 W Main St	Durham	Convenience
Renewal	Selam Convenience Store	106 Morris St	Durham	Convenience
Renewal	Shanghai Restaurant	3433 Hillsborough Rd	Durham	Restaurant
Renewal	Shiki Sushi Japanese Restaurant	207 W NC Hwy 54	Durham	Restaurant
Renewal	Shooters II Inc	827 W Morgan St	Durham	Club
Renewal	Shor Szechuan Restaurant	2105 E Hwy 54	Durham	Restaurant
Renewal	Sitar India Palace	3117 D Shannon Rd	Durham	Restaurant
Renewal	Smokers Express (The) #3477	4604 N Roxboro Rd	Durham	Convenience
New	Somewhere Else Sports Bar	2825 N Roxboro Rd	Durham	Restaurant
Renewal	Steamship Sudie's Oyster Bar	4810 Hope Valley Rd	Durham	Restaurant
Renewal	Stop N Go	2526 Erwin Rd	Durham	Convenience
Renewal	Stop N Go	114 W Enterprise St	Durham	Convenience
Renewal	Sunshine Amoco Food Mart	601 W Chapel Hill St	Durham	Convenience
Renewal	Swings N Things Inc	4343 Garrett Road	Durham	Convenience
Renewal	TAJ Mart Amoco	101 E Cornwallis Rd	Durham	Convenience
Renewal	Talk of the Town	108 E Main St	Durham	Restaurant
Renewal	Taqueria Mexicana La Villita Restaurant	2501 University Dr #C	Durham	Restaurant
Renewal	Tarheel Tripps LLC	918 W Club Blvd	Durham	Restaurant
Renewal	Taverna Nikos	905 W Main St	Durham	Restaurant
Renewal	Teasers Palace	315 W Main St	Durham	Club
Renewal	Texaco Food Mart #21	3875 Hillsborough Rd	Durham	Convenience
Renewal	Tienda El Compadre #2	2617 Chapel Hill Blvd	Durham	Convenience
Renewal	Tienda El Compadre I	1700 Holloway St	Durham	Convenience
Renewal	TNT Convenient Mart	500 E Main St	Durham	Convenience
Renewal	Tommy's Mini Mart	1832 Cole Mill Rd	Durham	Convenience
Renewal	Tommy's Mini Mart #10	1701 S Miami Blvd	Durham	Convenience
Renewal	Tommy's Mini Mart #3	1805 S Miami Blvd	Durham	Convenience
Renewal	Tops Texaco #14	6007 Farrington Rd	Chapel Hill	Convenience
Renewal	Tops Texaco #6	2110 Roxboro Rd	Durham	Convenience
Renewal	Tops Texaco #7	921 N Miami Blvd	Durham	Convenience
Renewal	Tops Texaco #8	1016 W Main St.	Durham	Convenience
Renewal	Toreros IV Mexican Restaurant	4125 Chapel Hill Blvd	Durham	Restaurant
Renewal	Toreros Mexican Restaurant	800 W Main St	Durham	Restaurant
Renewal	Toreros Mexican Restaurant	748 Ninth Street	Durham	Restaurant

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New	Toreros Mexican Restaurant	3808 Guess Rd, Ste 1	Durham	Restaurant
Renewal	Tosca Ristorante Italiano	604 W Morgan St	Durham	Restaurant
Renewal	Town & Country Food Mart	1423 E Club Blvd	Durham	Convenience
Renewal	Town Deli Grocery #1	801 N Alston Ave	Durham	Convenience
Renewal	Town Deli Grocery #2	1432 E Lawson St	Durham	Convenience
Renewal	Town N Country #3	3700 Fayetteville St	Durham	Convenience
Renewal	Town N Country #7	3101 University Dr	Durham	Convenience
Renewal	Treyburn Country Club	One Old Trail Dr	Durham	Club
Renewal	Triangle Bp #430	5202 S Miami Blvd	Durham	Convenience
Renewal	Triangle D Food Mart #4	403 W Trinity Ave	Durham	Convenience
Renewal	Trin B'ago LLC	826 Fayetteville Street Suite 103	Durham	Restaurant
Renewal	Tristar Amoco Food Shop	2900 Chapel Hill Blvd	Durham	Convenience
Renewal	Trubuy #20	3321 Apex Hwy	Durham	Convenience
Renewal	U Save Food Mart	1907 Cheek Rd	Durham	Convenience
Renewal	U.S Market Rotisseri & Catering	2105 E. Hwy 54	Durham	Restaurant
Renewal	Umstead Road Bp #440	5109 Guess Rd	Durham	Convenience
Renewal	Uncle Harry's General Store	1917 Yearby Ave	Durham	Convenience
New	United Eagle Village Food Mart	3011 Fayetteville St	Durham	Convenience
Renewal	University Market	1108 W Chapel Hill St	Durham	Convenience
Renewal	Upchurch Drugs Inc	5112 N Roxboro Rd	Durham	Convenience
Renewal	Upper Crust Entertainment Complex	117 W Main St	Durham	Club
Renewal	Village Bowling Lanes	330 Hardee Street	Durham	Restaurant
Renewal	Visions	711 Rigsbee Ave	Durham	Club
Renewal	Volume Services America Inc	409 Blackwell St	Durham	Restaurant
Renewal	Wade's Texaco	1911 Guess Rd	Durham	Convenience
Renewal	Walkers Grocery	1003 1/2 Morehead Ave	Durham	Convenience
Renewal	Washington Duke Inn & Golf Course	3001 Cameron Blvd	Durham	Restaurant
Renewal	Wellspring Grocery	621 Broad St	Durham	Restaurant
Renewal	West 94th Street Pub	4711 Hope Valley Rd	Durham	Restaurant
Renewal	West Campus #445	2432 Erwin Rd	Durham	Convenience
Renewal	West Durham Bp #450	1922 W Main St	Durham	Convenience
Renewal	West Durham BP #455	3511 Hillsborough Rd	Durham	Convenience
Renewal	WilcoHess LLC #191	803 E Geer St	Durham	Convenience
Renewal	WilcoHess LLC #195	1400 Miami Blvd	Durham	Convenience
Renewal	WilcoHess LLC #196	2502 Chapel Hill Blvd	Durham	Convenience
Renewal	Willow Haven Country Club Inc	253 Country Club Dr	Durham	Restaurant
Renewal	Winn Dixie Raleigh Inc #915	2000 Avondale Dr	Durham	Convenience
Renewal	Winn Dixie Raleigh Inc #925	401 E Lakewood Ave	Durham	Convenience
Renewal	Woodcroft Swim & Tennis Club Inc	1203 Woodcroft Pkwy	Durham	Restaurant
Renewal	World Market	1515 North Pointe Dr, Ste 125	Durham	Convenience
Renewal	Wyndham Garden Hotel	4620 S Miami Blvd	Durham	Restaurant
Renewal	Yamato Japanese Seafood & Steak	1058 W Club Blvd, Ste 232	Durham	Restaurant
Renewal	Yamazushi Japanese Restaurant	4711 Hope Valley Rd	Durham	Restaurant
Renewal	Ye Old Tavern, LLC	5504 Chapel Hill Blvd	Durham	Restaurant
Renewal	Zafa Temple Grenadier Club	2312 S Alston Ave	Durham	Club
Renewal	Zip Mart (The) #3088	4830 Hope Valley Rd	Durham	Convenience
Renewal	Zipmart (The) #3093	3223 NC Hwy 55	Durham	Convenience
Renewal	Zipmart (The) #3091	3705 N Duke St	Durham	Convenience
	Total Licenses Issued: 365			

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SUBJECT: SUB-RECIPIENT AGREEMENT - JOHN AVERY BOYS AND GIRLS CLUB, INC. LOCATED AT 808 EAST PETTIGREW STREET

Housing Director Charlene Montford made comments on what the funds [\$55,000] will be used for at the John Avery Boys and Girls Club. She noted the funds being requested would not fully address the situation; however, they would stabilize the facility.

Mayor Pro Tempore Cheek asked what other repairs are needed not covered by the \$55,000.

Elaine Hineman, representing John Avery Boys and Girls Club, noted what the \$55,000 would repair [the roof, the air/heating system]. She noted the windows and doors will be upgraded.

George Scott, representing the John Avery Boys & Girls Club, made comments on other areas of the facility in need of repair not covered by the \$55,000. He noted \$55,000 will address the major concerns.

Mayor Pro Tempore Cheek asked how much money is needed to complete all the repairs and if plans are in place to secure the additional money.

George Scott stated they have not placed a dollar figure on all the items (75) and they do not have a plan in place at this time.

Housing Director Charlene Montford made comments on the application/process for the John Avery Boys and Girls Club.

Elaine Hineman stated they will have a solid structure after the work is complete utilizing the \$55,000.

Dr. Lavonia Allison spoke in support of this item.

Mayor Pro Tempore Cheek asked the John Avery Boys & Girls Club to come up with a plan as soon as possible to take care of the other items on the list and make plans for funding those repairs.

MOTION by Council Member Clement seconded by Council Member Cole-McFadden to authorize the City Manager to execute a sub-recipient agreement with John Avery Boys and Girls Club, Inc., in the amount of \$55,000 from CDBG funds for improvements to the facility at 808 East Pettigrew Street; and

To authorize the City Manager to modify the contract before execution provided that modifications do not increase the dollar amount of the contract and the modifications are consistent with the general intent of the existing version of the contract was approved at 7:54 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and

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Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None.
Absent: None.

SUBJECT: ON-STREET PARKING CHANGES FOR PERRY STREET

Wesley Parham, of the Transportation Division, noted a request has been received from Mr. Windberry concerning unlimited parking in the 1900 block of Perry Street [runs between Ninth and Iredell Streets]. He noted Mr. Windberry is requesting to restrict the 24 hour – 7 day a week parking to two hours along both sides of the street and he further requested that a loading zone at the intersection of Ninth Street be shortened to provide additional on street parking. Mr. Parham stated they have contacted all the business owners and property owners and they did receive some objections and concerns. Also, he noted the administration had concerns.

Council Member Best stated he could not support item as printed on the agenda recommended by the administration.

A motion was made by Council Member Best to designate the north side of Perry Street as requested with two hour parking and no change on the south side of Perry Street. Motion dies for a lack of a second.

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Clement to adopt an ordinance repealing the following ordinances was approved at 8:06 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Clement, Cole-McFadden, Edwards and Stith. Noes: Council Member Best. Absent: None.

- (1) Ordinance #5079, adopted January 15, 1979, establishing no parking on the south side of Perry Street in the area beginning at a point at the east curb line of Ninth Street, if extended, and extending from that point eastwardly for a distance of 78 feet; and
- (2) Ordinance #12116, adopted April 3, 1980, establishing no parking at all times on the south side of Perry Street in the area beginning at the west curb line of Iredell Street, if extended, and extending from that point westwardly for a distance of 60 feet.

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Clement to adopt an ordinance establishing two-hour parking between the hours of 7:00 a.m. to 6:00 p.m., except Sundays and holidays, on the north side of Perry Street beginning at a point 70 feet west of the west curb line of Iredell Street, if extended, and extending for a distance of 165 feet westward was approved at 8:06 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Clement, Cole-McFadden, Edwards and Stith. Noes: Council Member Best. Absent: None.

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Clement to adopt an ordinance establishing no parking at any time at the following

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locations was approved at 8:06 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Clement, Cole-McFadden, Edwards and Stith. Noes: Council Member Best. Absent: None.

- (1) On the south side of Perry Street in the area beginning at the west curb line of Iredell Street, if extended, and extending for a distance of 39 feet westward; and
- (2) On the south side of Perry Street in the area beginning at a point 160 feet from the west curb line of Iredell Street, if extended, and extending eastward to the east curb line of Ninth Street.

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Clement to adopt an ordinance establishing three-hour parking between the hours of 7:00 a.m. to 6:00 p.m., except Sundays and holidays, on the south side of Perry Street in the area beginning 39 feet west of the west curb line of Iredell Street, if extended and extending for a distance of 121 feet westward was approved at 8:06 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Clement, Cole-McFadden, Edwards and Stith. Noes: Council Member Best. Absent: None.

Ordinance #'s 12863, 12864, 12865 and 12866

[GENERAL BUSINESS AGENDA - PUBLIC HEARINGS]

SUBJECT: ADOPTION OF THE FY 2002-2003 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER)

To receive public comments; and

To adopt the FY 2002-2003 Consolidated Annual Performance and Evaluation Report (CAPER) for submission to the U.S. Department of Housing and Urban Development (HUD) prior to the September 28, 2003 deadline.

Housing Director Charlene Montford made comments [powerpoint presentation] on changes to the CAPER report since the last City Council Meeting on September 2, 2003.

Ms. Montford made comments on the waiting list for the city's rehab program. She noted they were working aggressively and they expect to make a lot of progress this fiscal year. She noted they intend to bring to Council a proposal to outsource the emergency rehabilitation.

Council Member Edwards spoke in support of the female ex-offender program noted by Ms. Montford in her presentation.

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Council Member Clement requested that the goals of the Housing Department be made available to the Council.

City Manager Conner noted the goals set by the department are outlined in the CAPER report.

Mayor Pro Tempore Cheek asked for information projecting how the \$6,000,000 would be spent for 2003-2004 regarding CDBG monies, HOME monies and other funding.

Housing Director Charlene Montford stated this information will be provided at the September 18, 2003 City Council Work Session.

The Mayor recognized the following citizens for comments.

Diane Wright, representing the Campaign for Decent Housing, stated she would hope the CDBG and HOME funds will be utilized before using bond monies and general fund monies. She spoke in support of tenant based rental assistance and home repair programs.

Steve Hopkins noted he was concern that the CAPER was not made available much earlier for citizens to review.

Dr. Lavonia Allison spoke in support of increasing homeownership.

Grace Jones made comments on the rental and homeownership programs. She stated the program is not clear and the citizens do not know or understand the process. Also, she suggested that future reports include how much money was available in the beginning and how much was actually spent instead of informing the citizens where the money was spent. Also, she voiced concern on the first time homebuyers program.

Victoria Peterson voiced concern with the lateness of the CAPER report. She requested that this item be continued and allow additional comments from the citizens.

Angela Langley applauded the city for providing funding for special needs housing. Also, she requested additional information on who benefited and what was done regarding special needs housing.

Due to the fact that citizens did not have ample time to review the revised CAPER report, Mayor Bell suggested that the public hearing and approval of the CAPER be continued until September 25, 2003 at 12:30 p.m.

Council Member Best requested a copy of the current policies and procedures for contractors regarding rehab projects.

Due to the current workload in the Housing Department, Council Member Best raised concern with the department taking on new initiatives.

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Several Council Members spoke in support of the new initiatives for the Housing Department.

MOTION by Council Member Clement seconded by Mayor Pro Tempore Cheek to continue the public hearing to the Special City Council Meeting scheduled for Thursday, September 25, 2003 at 12:30 p.m. was approved at 8:59 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

SUBJECT: HUMAN RELATIONS COMMISSION -RESTRUCTURING HUMAN RELATIONS DEPARTMENT

To receive public comments on the Human Relations Commission; and to direct the administration to proceed with restructuring the Human Relations Department by setting priorities that will address community needs in the areas of Employment, Housing, and Community Relations.

City Manager Conner noted this is a joint recommendation from the Human Relations Department in collaboration with the Human Relations Commission.

Chair Harvey McMurray, of the Human Relations Commission, noted the commission's preference is for the Council to un-suspend the suspension of the Employment and Public Accommodations Ordinance. He also stated the Commission also recognizes and respects the recommendation of the City Attorney's Office. He noted the commission fully understood the importance and urgency of helping to initiate a statewide campaign to lobby the General Assembly to provide all cities in North Carolina with the necessary enabling legislation. Dr. McMurray noted the commission endorsed the reorganization of the Human Relations Department which maintains the current level of staffing as well as the priority areas to be presented by the Human Relations Director.

Human Relations Director Yvonne Pena made a presentation on this item. Ms. Pena noted the revised mission of the department:

- To improve race and human relations in the City by working toward the elimination of bias and discrimination in employment, housing, public accommodations and to prioritize community outreach in educational activities to meet the need of our citizens.

She noted the second recommendation was to review and discuss core services. The following core services were identified:

- Employment (Alternative Dispute Resolution Program will be adopted)
- Public Accommodations will be included in the Alternative Dispute Resolution Program
- Housing
- Community Relations and Outreach Activities
- Other

Ms. Pena noted the following functions of the department:

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- 35% of time spent on employment issues
- 30% of time on housing
- 25% of time on community relations and outreach
- 10% of time on other issues of importance

Ms. Pena noted a plan will be developed to initiate a statewide campaign to lobby the General Assembly in order to develop a state employment discrimination law; develop a transition plan with EEOC; develop outcome measures and continue to provide quarterly reports on all projects.

Ms. Pena noted prior to the suspension of the ordinance enforcement powers were allowed through the ordinance and through the work share agreement with EEOC. She noted now that the ordinance has been suspended it would be on a voluntary basis – when complainants come to the Human Relations Office the staff will and mediate the situation and they will model the mediation program according to EEOC guidelines.

Council Member Best raised concern with maintaining the current level of staff.

City Manager Conner noted during the FY04-05 budget discussions the caseload for the department will be revisited and if needed, the adjustments will be dealt with during budget. She noted this current fiscal year will be a benchmark in terms of actual cases received.

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard.

Diane Wright, representing the NAACP, stated the NAACP recommends maintaining the Human Relations Commission with its existing powers but they understood the City Attorney's ruling. She recommended that core services to attack discrimination not be neglected. Ms. Wright asked if public education will be available upon demand or will it be only scheduled education seminars.

Steve Hopkins spoke in support of the compromise. He also stated sexual orientation should be a protected class and asked that it be included. Mr. Hopkins raised a concern with how the City will get an employer to come in for mediation.

Steve Lathrup noted currently there are sufficient laws at the federal and state level to prosecute those who discriminate.

Angela Langley asked the Council to support the Human Relations Commission and the department.

Dr. Lavonia Allison asked that discrimination be continued to be attacked aggressively.

Mickey Brown asked that the Human Relations Department and the commission be supported.

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Commissioner Joe Bowser asked that the Council support the Human Relations Commission and try to obtain legislation that will allow enforcement. Also he asked the Council to check and see if New Hanover County has suspended its ordinance and if not, the City might want to revisit its decision.

Melvin Whitley asked the Council to support the underprivileged and noted the Human Relations Commission needed to have enforcement power.

The public hearing was closed by the Mayor.

The Human Relations Director made comments on education requests and scheduling sessions. She noted sexual orientation can be added as a protected category.

Dr. McMurray agreed with adding sexual orientation as a protected category.

A motion was made by Council Member Clement to adopt the recommendation of the Human Relations Commission to unsuspend the suspension of the Employment and Public Accommodations Ordinance which will allow the Human Relations Commission to perform their duties as usual. This motion was seconded by Council Member Stith.

Dr. Harvey McMurray, Chair of the Human Relations Commission, noted their recommendation is to support the reorganization of the department as outlined by the Human Relations Director with the understanding the city will seek legislative authority; however, their preference is to unsuspend the suspension of the ordinance.

Assistant City Attorney McGirt made comments on New Hanover County's ordinance and the City of Durham's ordinance.

[EXTEND MEETING]

MOTION by Council Member Best seconded by Council Member Stith to extend the meeting beyond 10:00 p.m. was approved at 9:59 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

Council Member Clement also requested that mediation be pursued [bringing in EEOC where appropriate] as part of the remedy.

It was noted that Elizabeth Stoeber of the Manager's Office will be coordinating a meeting with the legislative delegation, council and Human Relations Commission to have a discussion on this issue.

SUBSTITUTE MOTION by Mayor Pro Tempore Cheek seconded by Council Member Edwards to receive public comments on the Human Relations Commission; and to direct the administration to proceed with restructuring the Human Relations Department by setting priorities that will address community needs in the areas of Employment, Housing and Community Relations was approved at 10:06 p.m. by the following vote: Ayes:

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Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Cole-McFadden, Edwards and Stith. Noes: Council Member Clement. Absent: None.

SUBJECT: PARKS AND RECREATION 2003-2013 MASTER PLAN

To receive public comments on the Draft Parks and Recreation 2003-2013 Master Plan.

Beth Timson, of the Parks and Recreation Department, made a powerpoint presentation on this item.

Mayor Bell opened the public hearing.

George Dubay spoke in support of the master plan.

Dr. Curtis Bowen spoke in support of a Martin Luther King, Jr. Park in Durham.

Cheryl Sweeney made comments on the problems currently existing in Northgate Park. She noted the city needed to maintain the parks already in existence before building more park.

Barry Ragin, representing Duke Park Neighborhood, noted the master plan does not adequately address the existing parks which need to be maintained.

Eugene Brown made comments on the current parks not functioning and the city spending money to pay a consultant to tell us what we already know.

Larry Brockman provided the following comments to the Clerk for the record: It is my opinion that the Master Plan in its current form is not ready for council approval. The plan calls for more study of the need for additional recreation centers. Shouldn't this research be done before budgeting \$40 million for such facilities? Most important, I urge council to make "walkable greenspace facilities" an integral part of the Master Plan. The need for and popularity of these facilities has been clearly proven over the past several years. Members of the Ellerbee Creek Watershed Association have identified many locations in Durham where these facilities could be developed and would be glad to work with the Parks and Recreation Department to add this component to the Master Plan, so that the Plan would truly reflect the stated needs of Durham residents.

Patrick Murray, representing Woodcroft Athletic Association, expressed concern with park availability.

David Penney stated shared use facilities with the Durham Public Schools were mentioned in the plan. He asked where are these facilities, how much of these funds could be shared, are there funds earmarked for this use or, are available for use currently.

Steve Hopkins asked council not to construct any new parks but to renovate the ones already in existence.

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Katherine O'Brien noted PAC 2 will not support a bond issue until the current parks are improved/maintained.

George Conklin, representing Stirrup Creek Homeowners, asked the Council to support a park in the Bethesda area. He noted this request has been on the books for years.

Virginia Mason raised concern with the condition of River Forest Park.

Dr. Lavonia Allison asked the Council to support a partnership with the school system for recreational activities.

Mike Shiflett made comments on the 1996 bond issue which was suppose to correct and build parks. He asked where is the money from the 1996 bond.

Glennis Jones made comments on the current problems in the parks. Also, he asked where is the money from the 1996 bond for parks.

Leslie Laufer made comments on the Southern Boundary park.

Richard Mullinax spoke on the current conditions of the parks in Durham.

Andrey Mitchell asked the Council to approve funding to continue the design process and construction document for the building project of the proposed new addition to the Walltown Community Center.

Joe Williams asked the Council to support the existing parks in Durham – Hillside Park and Duke Park. Also, he asked where is the money to correct the problems and noted poor maintenance.

Victoria Peterson expressed concern with the Master Plan.

Bill Bussey noted currently impact/development fees cannot be used toward for maintenance and upkeep of the parks. He spoke in support of these funds being used and asked the Council to change the policy on the use of impact fees. He spoke in support of standardized signage for parks, but asked the Council not spend \$50,000 to study and design what the signage will look like. He asked that this activity be done in house.

Melvin Whitley stated Northeast Central Durham (District 1) has the largest crime problem and the only District in the City without a recreation center.

The Mayor closed the public hearing.

Mayor Bell stated the city has done a very poor job in maintaining its parks and the city needed to take care of what we have before asking for something else. The Mayor stated we have to prove to people that we can maintain what we already have.

Council Member Clement reminded Council there was a promise to build a park in the Bethesda area years ago.

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MOTION by Council Member Clement seconded by Mayor Pro Tempore Cheek to receive public comments on the Draft Parks and Recreation 2003-2013 Master Plan was approved at 11:14 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

Regarding the current budget for the Parks and Recreation Department, Council Member Best requested a list of projects that were budgeted.

MOTION by Council Member Best seconded by Council Member Stith to direct the administration to provide information at the October 9, 2003 Work Session regarding the current Parks and Recreation Department budget [revisit the issue regarding park maintenance] was approved at 11:17 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: ORDERING PETITIONED IMPROVEMENT – SEWER MAIN
GREEN LANE DRIVE FROM COUNTRY CLUB DRIVE TO
CONTINENTAL DRIVE**

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations the public hearing was declared closed.

MOTION by Council Member Clement seconded by Council Member Stith to receive public comments; and

To adopt a resolution ordering a sewer main on Green Lane Drive from Country Club Drive to Continental Drive was approved at 11:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: ORDERING PETITIONED IMPROVEMENT – WATER MAIN
LONG LEAF DRIVE FROM PINE VALLEY DRIVE**

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations the public hearing was declared closed.

MOTION by Council Member Clement seconded by Council Member Stith to receive public comments; and

To adopt a resolution ordering a water main on Long Leaf Drive from Pine Valley Drive North to the North Property Line of Tax Map 825-1-39 was approved at 11:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council

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Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: ORDERING PETITIONED IMPROVEMENT – SEWER MAIN
MARVIN DRIVE FROM FARRINGTON ROAD TO WEST
PROPERTY LINE OF TAX MAP 484-4-12**

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations the public hearing was declared closed.

MOTION by Council Member Clement seconded by Council Member Stith to receive public comments; and

To adopt a resolution ordering a sewer main on Marvin Drive from Farrington Road to West Property Line of Tax Map 484-4-12 was approved at 11:19 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

[EXCUSE COUNCIL MEMBER EDWARDS]

MOTION by Council Member Clement seconded by Council Member Cole-McFadden to excuse Council Member Edwards from the meeting was approved at 11:20 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None.

**SUBJECT: REZONING - CARPENTER POINTE PHASE III (P03-01)
CARPENTER ROAD NORTHWEST OF DEBRA DRIVE
INTERSECTION –CARPENTER POINTEE PARTNERSHIP**

To and receive public comments on rezoning Case P03-01 (Carpenter Pointe Phase III); and

To adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the described property in rezoning Case P03-01 out of RD and placing same in and establishing same as PDR-2.0; F/J-B.

Planning Department Recommendations: Approval
Zoning Committee Recommendations and Vote: Denial - (5-1)

Note: Invalid protest petition filed against this rezoning.

City/County Planning Director Frank Duke made comments on this item noting the staff report. He noted the staff recommended approval. He stated the Zoning Committee recommended denial noting school overcrowding.

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The Mayor opened the public hearing.

Proponents

Tricia Roberts, representing the applicant, spoke in support of the request. She stated the staff report is relatively factual, the request is in compliance with the small area plan and is compatible with the surrounding neighborhood.

Opponents

Rebecca Carpenter spoke in opposition to the request and asked Council to deny this rezoning. She expressed concern with the validity of the school enrollment projection and several acres of the proposed development being in a floodplain. Ms. Carpenter requested Council consider the impact of their decision regarding satellite areas and the affect those decisions are having on the quality of life of county residents who chose their rural residential environment. She asked the Council to allow the area to grow as a single family residential area.

Shawn Gross stated they received a letter from the Planning Department on August 29, 2003 stating they would have the ability to file a protest petition against the rezoning. Mr. Gross stated he had difficulty finding the petition on the internet and he contacted the planning department and they mailed the petition and he received it on September 4th. Mr. Gross noted he was able to get the signatures from everyone with the exception of one owner and the petition was not valid because he did not get 20% and he felt this was unfair. He expressed concern that the developer owned 90% of the lots and a builder will not sign a protest petition.

There was no rebuttal by the applicant.

Mayor Bell closed the public hearing.

City/County Planning Director Frank Duke noted the Northeast Durham Plan was adopted about a year ago. He stated the proposed development will meet all ordinance requirements as proposed and under the current R-20 designation on the property you can have development within the floodplain. He noted that one of the committed elements by the developer is not to have any lots in the floodplain.

City Attorney Blinder noted there is no provision in the state law to treat the protest petition differently based on whether the owner of the adjoining property is a private developer.

Discussion was held on the restrictive covenants.

City/County Planning Director Frank Duke noted DOS recommended three items – and one is shown conceptually on the development plan [the pedestrian access to the open space] between lots 28 and 29 none of these were committed elements.

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Council Member Stith asked the developer about the committed elements.

Tricia Roberts, representing the applicant, stated the design stands as it is.

Becky Gross, a resident of Dovetail Drive, made comments on the square footage of the homes being less than 1400 square foot. She noted there was a change in builders and they were not informed and the new builder is constructing homes less than 1400 square feet. She stated they met with Ron Horvath on July 1st and he stated he would submit an amendment to the covenant in writing within 30 days and he had not done that or contacted any of the homeowners.

Mayor Pro Tempore Cheek asked if there are any tot lots as committed elements on the plan.

City/County Planning Director Frank Duke stated there are no committed elements for tot lots.

MOTION by Council Member Best seconded by Council Member Clement to adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the described property in rezoning Case P03-01 out of RD and placing same in and establishing same as PDR-2.0; F/J-B **FAILED** at 11:49 p.m. by the following vote: Ayes: Council Member Clement. Noes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Cole-McFadden and Stith. Excused Absence: Council Member Edwards.

SUBJECT: REZONING – LYNN HOLLOW II (P03-25) 3128 and 3208 GIBSON ROAD – ROBERT C. ZUMWALT – THE JOHN R. MCADAMS COMPANY

To receive public comments on rezoning Case P03-25 (Lynn Hollow II); and

To adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the described property in rezoning Case P03-25 out of R-20 and placing same in and establishing same as PDR-3.15.

Planning Department Recommendations: Approval
Zoning Committee Recommendations and Vote: Approval - (6-0)

City/County Planning Director Frank Duke made comments on this rezoning request noting the committed elements. He noted the staff recommended approval.

The Mayor opened the public hearing.

Proponents

Charles Welsh, representing the applicant, noted he was available to answer questions.

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No one was present to speak in opposition to the request.

The Mayor closed the public hearing.

MOTION by Council Member Clement seconded by Council Member Stith to adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the described property in rezoning Case P03-25 out of R-20 and placing same in and establishing same as PDR-3.15 was approved at 11:50 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden and Stith. Noes: None. Excused Absence: Council Member Edwards.

**SUBJECT: REZONING - WARREN CREEK (P03-27) SOUTHEAST CORNER
OF VICTORY BOULEARD AND GUESS ROAD – BENNIE GLENN
SIGNET GROUP REALTY ASSOCIATES**

To receive public comments on rezoning Case P03-27 (Warren Creek); and

To adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the described property in rezoning Case P03-27 out of SC(D); R-20 and placing same in and establishing same as RM-8(D); NC(D).

Planning Department Recommendation: Approval

Zoning Committee Recommendation and Vote: Approval - (6-0)

City/County Planning Director Frank Duke made comments on this item noting a number of committed elements. He noted the staff recommended approval.

The Mayor opened the public hearing.

Proponents

Jeff Roach, representing the applicant, stated he was available to answer any questions.

No one was present to speak in opposition to the request.

Mayor Bell closed the public hearing.

MOTION by Council Member Clement seconded by Council Member Stith to adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the described property in rezoning Case P03-27 out of SC(D); R-20 and placing same in and establishing same as RM-8(D); NC(D) was approved at 11:54 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden and Stith. Noes: None. Excused Absence: Council Member Edwards.

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**SUBJECT: REZONING - STRATFORD PROPERTY (P03-34) NORTH SIDE OF
MARTIN LUTHER KING JR. PARKWAY BETWEEN COOK ROAD
AND FAYETTEVILLE STREET – MILLENNIUM PROPERTIES,
LLC**

To receive public comments on rezoning Case P03-34 (Stratford Property); and

To adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the described property in rezoning Case P03-34 out of R-20 and placing same in and establishing same as PDR-10.

Planning Department Recommendation: Approval

Zoning Committee Recommendation and Vote: Approval – (6-0)

City/County Planning Director Frank Duke made comments on this rezoning request noting the committed elements. He stated the staff is recommending approval.

The Mayor opened the public hearing.

There were no speakers present to speak on this item.

Mayor Bell closed the public hearing.

MOTION by Council Member Clement seconded by Council Member Stith to adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the described property in rezoning Case P03-34 out of R-20 and placing same in and establishing same as PDR-10 was approved at 11:56 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden and Stith. Noes: None. Excused Absence: Council Member Edwards.

**SUBJECT: STREET CLOSING – ALLEY BETWEEN BRANT STREET AND
FORMOSA AVENUE (SC02-06)**

City/County Planning Director Frank Duke made comments on this request from North Carolina Central University to close approximately 4500 square feet of an unnamed alley between Brant Street and Formosa Avenue east of Concord Street to facilitate the development of a private dorm.

Mayor Bell opened the public hearing.

There were no citizens present to speak on this item.

Mayor Bell closed the public hearing.

MOTION by Council Member Clement seconded by Council Member Stith to receive public comments; and

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To adopt an order permanently closing 0.10 acre (4,518.9 square feet) of an unnamed alley between Brant Street and Formosa Avenue, east of Concord Street, west of Fayetteville Street was approved at 11:57 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden and Stith. Noes: None. Excused Absence: Council Member Edwards.

Ordinance # 12867

SUBJECT: 2003 LOCAL LAW ENFORCEMENT BLOCK GRANT

Mayor Bell opened the public hearing.

There were no citizens present to speak on this item.

The Mayor closed the public hearing.

MOTION by Council Member Cole-McFadden seconded by Council Member Stith to receive public comments on the spending plan; and

To approve a U.S. Department of Justice Grant in the amount of \$230,618; and

To adopt an "City of Durham, North Carolina and U.S. Department of Justice, Bureau of Justice Assistance, 2003 Local Law Enforcement Block Grant Project Ordinance" was approved at 11:58 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden and Stith. Noes: None. Excused Absence: Council Member Edwards.

Ordinance #12862

[ITEMS ADDED TO THE AGENDA]

SUBJECT: CAPITOL LINK, INC. – CONTRACT FOR LOBBYING SERVICES

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Stith to authorize the City Manager to execute Contract Amendment Number 2 to the agreement for Government Affairs between the City of Durham and Capitol Link, Inc. for an additional three month period ending November 30, 2003; and

To authorize the City Manager to modify the contract amendment before execution provided that modifications do not increase the dollar amount or term of the contract and are consistent with the general intent of the existing version of the contract was approved at 11:59 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden and Stith. Noes: None. Excused Absence: Council Member Edwards.

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**SUBJECT: RESOLUTION AUTHORIZING EMERGENCY CONTRACTING
AUTHORITY FOR THE CITY MANAGER – HURRICANE ISABEL**

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Stith to adopt a Resolution Authorizing Emergency Contracting for the City Manager was approved at 11:59 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden and Stith. Noes: None. Excused Absence: Council Member Edwards.

Resolution #9041

There being no further business to come before the City Council, the meeting was adjourned at 11:59 p.m.

D. Ann Gray, CMC
City Clerk